



**State Water Resources Control Board**

SEP 17 2013

In Reply Refer to:  
KDM: A005625

Ms. Katrina Chow  
U.S. Bureau of Reclamation  
2800 Cottage Way, MP-700  
Sacramento, CA 95825-1893

Dear Ms. Chow:

**COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS) FOR SHASTA LAKE WATER RESOURCES INVESTIGATION**

The State Water Resources Control Board (State Water Board), Division of Water Rights (Division) has reviewed the DEIS for the Shasta Lake water resources investigation. The DEIS evaluates six alternatives for raising the existing Shasta Dam and Shasta Reservoir. Shasta Reservoir has a current capacity of 4,550,000 acre-feet (af). The maximum enlargement under consideration is 634,000 af. Thus, the maximum enlarged capacity would be 5,184,000 af.

Division staff evaluated U.S. Bureau of Reclamation’s water rights for Lake Shasta to determine whether the project would require an additional appropriative water right. The Lake Shasta water rights for consumptive use purposes (irrigation, domestic, municipal, etc.) are under permits issued on Application 5626, 9363 and 9364. Power generation is covered by the permits issued on Applications 5625 and 9365.

The table below lists the Lake Shasta water rights (storage element only). The water rights for Lake Shasta are subject not only to individual water right limits, but also to combined right limits. The table below also lists the water rights (storage element only) that are part of the combined right limitation terms:

| <b>Water Right</b> | <b>Uses</b>        | <b>Storage Quantity<br/>In af per annum<br/>(afa)</b> | <b>Project</b> |
|--------------------|--------------------|---|----------------|
| 5625               | Power              | 3,190,000   | Shasta         |
| 9365               | Power              | 1,303,000   | Shasta         |
|                    | <i>Total Power</i> | <i>4,493,000</i>                                      |                |

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

|      |                              |                  |                     |
|------|------------------------------|------------------|---------------------|
| 5626 | Municipal, etc.              | 3,190,000        | Shasta              |
| 9363 | Municipal, etc.              | 310,000          | Shasta              |
| 9364 | Municipal, etc.              | 1,303,000        | Shasta              |
|      | <i>Total Municipal, etc.</i> | <i>4,803,000</i> |                     |
|      |                              |                  |                     |
| 9366 | Municipal, etc.              | 0                | Contra Costa Canal  |
| 9367 | Municipal, etc.              | 0                | Contra Costa Canal  |
| 9368 | Municipal, etc.              | 0                | Tracy Pumping Plant |

The combined right limits are as follows:

- The total amount of water to be appropriated by direct diversion and by storage under permits issued pursuant to Applications 5626, 9363, 9364, 9366, 9367 and 9368 shall not exceed 6,500,000 af per annum of which not in excess of 3,450,000 afa shall be by direct diversion. The maximum combined rates of direct diversion and rediversion of stored water shall not exceed 22,200 cubic feet per second.
- Applications 5625, 5626 and 9363: The total amount of water to be appropriated by storage under permits issued pursuant to Applications 5625, 5626, 9363, 9364 and 9365 shall not exceed 4,493,000 afa.
- Applications 9364 and 9365: The total amount of water to be appropriated under permits issued pursuant to Applications 5625, 5626, 9363, 9364 and 9365 shall not exceed 4,493,000 afa.

The water rights authorize specific quantities for collection to storage annually. The rights do not state the size of the facility that the water will be stored in. Consequently, provided that Reclamation does not exceed its diversion limits, additional water rights are not needed based solely on enlargement of the reservoir size. Should Reclamation determine that it will annually collect more than a combined total of 4,493,000 af to storage in the enlarged reservoir, or exceed the other annual combined right limits listed above, an additional appropriative right is required.

Table 6-5 provides simulated average end-of-month Shasta Reservoir Storage under existing condition (2005) and future condition (2030). This data indicates that the reservoir retains more water in storage under all alternatives considered in the DEIS than under the no action alternative. Inasmuch as carryover storage remains in the reservoir, new collection of a like amount would not occur. Nonetheless, Division staff requests that Reclamation provide documentation that the project can be operated under existing rights. To document this, Division staff requests that Reclamation provide a monthly diversions table covering the modeling period of the DEIS showing that the reservoir enlargement project can be operated within the annual combined right limits listed above. Thank you in advance for the information.

If you require further assistance, please contact Katherine Mrowka at (916) 341-5363 or by email at [kathy.mrowka@waterboards.ca.gov](mailto:kathy.mrowka@waterboards.ca.gov). Written correspondence or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Katherine Mrowka, P.O. Box 2000, Sacramento, CA, 95812-2000.

Sincerely,

ORIGINAL SIGNED BY:

Katherine Mrowka, Senior  
Permitting and Licensing Section  
Division of Water Rights

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Reclamation Rights for Shasta Enlargement